

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ARONDO AUSTIN,

No. C 12-05187 YGR (PR)

Plaintiff,

**ORDER GRANTING PLAINTIFF A
FOURTH EXTENSION OF TIME TO
FILE AMENDED COMPLAINT**

v.

J. CERMENO, et al.,

Defendants.

Plaintiff, a state prisoner, filed the instant *pro se* prisoner complaint under 42 U.S.C. § 1983. The Court has dismissed Plaintiff's complaint with leave to amend. In Orders dated June 24, 2013, July 12, 2013, and September 9, 2013, the Court granted Plaintiff's three requests for an extension of time to file his amended complaint.

Before the Court is Plaintiff's motion entitled, "Motion Asking For a Stay or Freeze Plaintiff's Case Due to Plaintiff[s] Mental Health and Not Able to Contact the Courts Per [Department of State Hospitals ("DSH")] & CTC Rules and Policys [sic] [of] No Writing Materials." (Docket No. 17.) Since filing that motion, Plaintiff has now informed the Court that he has been released from DSH as of November 21, 2013. Therefore, the Court construes the pending motion to stay as moot and instead finds that Plaintiff now moves for an implied fourth request for an extension of time to file his amended complaint.

Good cause appearing, the Court DENIES as moot Plaintiff's "Motion Asking For a Stay or Freeze Plaintiff's Case Due to Plaintiff[s] Mental Health and Not Able to Contact the Courts Per [Department of State Hospitals ("DSH")] & CTC Rules and Policys [sic] [of] No Writing Materials." (Docket No. 17.) However, the Court finds that Plaintiff should be granted another extension of time to file his amended complaint. Plaintiff shall file his amended complaint on or by **January 20, 2014**.

1 If Plaintiff fails to file an amended complaint by the deadline above, this action will be
2 dismissed. **No further extensions of time will be granted in this case absent extraordinary**
3 **circumstances.**

4 This Order terminates Docket no. 17.

5 IT IS SO ORDERED.

6 DATED: December 12, 2013


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE

United States District Court
For the Northern District of California